

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2006-84-E - ORDER NO. 2006-208
APRIL 6, 2006

IN RE: Application of Duke Power for Approval to) ORDER
Implement Four Electric Service Agreement) APPROVING
Amendment and Assignment Forms for Use) FORMS
with its Non-Residential Customers)

Pursuant to S.C. Code Ann. Section 58-27-820 and 26 S.C. Code Ann. Regs. 103-346, Duke Power, a division of Duke Energy Corporation (Duke or the Company), filed for approval four electric service agreement amendment and assignment forms that Duke intends to implement for use with its nonresidential customers.

Duke states that it provides electric service to its nonresidential customers under various forms of contract. For customers contracting for less than 1,000 KW, it is typical to complete a brief Service Agreement, and the customer is required to sign the agreement if the contract is for more than 125 KW. For customers over 1,000 KW, those contracting for Extra Facilities and those under special riders such as Economic Development (Rider EC), Economic Redevelopment (Rider ER), Interruptible Service (Rider IS), etc. a longer form Electric Service Agreement is used. Several years ago, Duke states that it implemented a contract amendment form to simplify the process for customers who wanted to move from non-time of use rates to time of use rates, with no other changes in the contract.

Duke asserts that, in an effort to provide better customer service and expedite customer requests, it is proposing to expand the use of contract amendments to cover other situations. In all cases the customer has an existing contract and the new amendment will modify the existing contract. Under the modifications, Duke's customers will still have the option to execute a new contract as they have in the past; however, customers may have the option to execute a contract amendment if appropriate to the situation. Duke proposes to implement the use of several amendments and agreements as outlined below:

1) Service Address Amendment: A number of Duke's contracts were entered into many years ago and set up with service addresses that are not actual street addresses. The service address amendment would allow Duke to streamline the process of updating the addresses to site specific addresses now being used by county emergency planners. In addition, since these addresses are used in Duke's billing and emergency restoration systems, the Company's response to customer inquiries and outages can be improved. Duke states that this amendment form will not be used in situations where the customer moves physical locations.

2) Customer Name Change Amendment: Duke Power has seen an increasing number of customers changing their legal name for various reasons. This situation currently requires that such customers execute a new contract in place of such existing agreement. Duke proposes a single Name Change Amendment form which would list the accounts for which the name should be changed, and avoid the necessity of executing new contracts for what may be hundreds of affected accounts.

3) Assignment and Assumption Agreement: The Assignment and Assumption Agreement is specifically designed for situations where there is a change in ownership of a business. Like the Customer Name Change Amendment, the new owner would have the option of signing a single form Assignment and Assumption Agreement with an exhibit listing the covered accounts.

4) Rate Change Amendment: As indicated above, the Rate Change Amendment is currently in use, but has been updated to be similar in form to the other Amendments that are being filed.

Copies of the proposed Amendments and Agreement are included with Duke's filing.

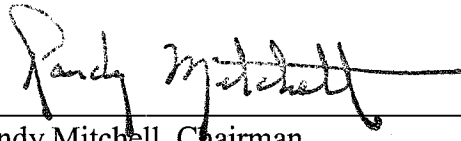
We would note that 26 S.C. Code Ann. Regs.103-346 requires that copies of all schedules of rates for service, forms of contracts for service, charges for service connections and of all rules and regulations covering the relations of customer and electrical utility, shall be filed by each electrical utility and approved by the Commission. We have examined the Amendments and Agreement proposed by the Company, and find that they should be approved. The proposed Amendments and Agreement are certainly useful tools, and should be implemented for nonresidential customers.

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Accordingly, the proposed Amendments and Agreement are approved. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



Randy Mitchell, Chairman

ATTEST:



G. O'Neal Hamilton, Vice-Chairman

(SEAL)